

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-18027-2020 (O&M)

Date of decision: 09.07.2020

Gagan Inder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Deepam Raghava, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Gagan Inder Singh, an accused in FIR No.0133 dated 15.06.2020, for offences under Sections 306 and 34 of IPC, registered with Police Station BPTP, District Faridabad.

Briefly stated facts of the case as per prosecution version are that criminal machinery in this case was set into motion by complainant Shefali wife of Anil, resident of H.No.1581, Sector 8, Faridabad, aged about 63 years, who in her statement got recorded with police stated that her daughter Robika, aged about 39 years was unmarried, she was running a beauty parlour under the name and style of Studio by Robika near BKH Chowk near NIT. Robika was having an affair with Gagan Singh resident of 98/4 R NIT, Faridabad and she used to meet Gagan Singh frequently. On 14.06.2020 in the morning, Robika left home with

Gagan Singh and she remained with him till her death on 15.06.2020. In her such statement, the complainant stated that she was informed by her daughter's friend Akhil that Robika was going to commit suicide and sent her a message on phone; that he was going to BPTP bridge and complainant should also reach there. According to the complainant when she reached the bridge, she came across Akhil there. Robika had jumped of the bridge and had died. Though, she was taken to hospital but she was declared brought dead. In her such statement to the police, the complainant stated that her daughter Robika had sent a message at 3.52 PM on Akhil's Watsapp number that Gagan Singh and his family were responsible for her death and that Gagan Singh had deceived her. The complainant prayed that necessary action be taken in the matter.

Apprehending his arrest in this case, the petitioner had approached the Court of Sessions at Faridabad, seeking pre-arrest bail but his such petition was dismissed by Addl. Sessions Judge, Faridabad, vide order dated 29.06.2020. Therefore, he has knocked at the door of this Court, praying for grant of similar relief.

Notice of motion.

Mr. Apoorv Garg, DAG, Haryana, accepts notice on behalf of the State and opposes the request made on behalf of the petitioner.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are very grave and serious of abetting suicide of a young woman. His custodial interrogation is necessary for complete and effective investigation. In case, the same is

denied to the investigating agency that shall leave many glaring loopholes and gaps, adversely affecting the investigation, which is uncalled for. As observed in authority *State represented by the CBI vs. Anil Sharma, 1997 (4) RCR (Criminal) 268*, custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is on anticipatory bail, in a case like this interrogation of suspected person is of tremendous advantage in getting useful information. Furthermore, pre-arrest bail is to be granted in very exceptional circumstances and not in routine. Its purpose is to save the innocent persons from harassment and inconvenience and not to shield the guilty persons and criminals from custodial interrogation by the investigating agency. The custodial interrogation is definitely more elicitation oriented since a person couched in comparative safety of the pre-arrest bail would certainly not disclose all the facts within his knowledge. Thus, no ground for grant of pre-arrest bail is made out. The petition being without any merit stands dismissed.

09.07.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No